

SHB 1304 - S AMD TO S AMD (S-3296.1/05) 585
By Senator Carrell

OUT OF ORDER 04/14/2005

1 Beginning on page 1, line 2 of the amendment, strike all of section
2 3 and insert the following:

3 "Sec. 3. RCW 16.52.117 and 1994 c 261 s 11 are each amended to
4 read as follows:

5 (1) ~~((Any))~~ A person ~~((who does any of the following is guilty of~~
6 ~~a gross misdemeanor punishable by imprisonment not to exceed one year,~~
7 ~~or by a fine not to exceed five thousand dollars, or by both fine and~~
8 ~~imprisonment))~~ commits the crime of dog fighting if the person
9 knowingly does any of the following:

10 (a) Owns, possesses, keeps, ~~((or))~~ breeds, trains, buys, sells, or
11 advertises or offers for sale any ~~((animal))~~ dog with the intent that
12 the ~~((animal))~~ dog shall be engaged in an exhibition of fighting with
13 another ~~((animal))~~ dog;

14 (b) ~~((For amusement or gain causes any animal to fight with another~~
15 ~~animal, or causes any animals to injure each other; or~~

16 ~~(c) Permits any act in violation of (a) or (b) of this subsection~~
17 ~~to be done on any premises under his or her charge or control, or~~
18 ~~promotes or aids or abets any such act.))~~ Promotes, organizes,
19 conducts, participates in, advertises, or performs any service in the
20 furtherance of an exhibition of dog fighting, transports spectators to
21 a dog fight, or provides or serves as a stakeholder for any money
22 wagered on a dog fight;

23 (c) Keeps or uses any place for the purpose of dog fighting, or
24 manages or accepts payment of admission to any place kept or used for
25 the purpose of dog fighting;

26 (d) Suffers or permits any place over which the person has
27 possession or control to be occupied, kept, or used for the purpose of
28 an exhibition of dog fighting; or

29 (e) Takes, leads away, possesses, confines, sells, transfers, or
30 receives a stray dog or a pet dog, with the intent to deprive the owner

1 of the pet dog, and with the intent of using the stray dog or pet dog
2 for dog fighting, or for training or baiting for the purpose of dog
3 fighting.

4 ~~(2) ((Any person who is knowingly present, as a spectator, at any~~
5 ~~place or building where preparations are being made for an exhibition~~
6 ~~of the fighting of animals, with the intent to be present at such~~
7 ~~preparations, or is knowingly present at such exhibition or at any~~
8 ~~other fighting or injuring as described in subsection (1)(b) of this~~
9 ~~section, with the intent to be present at such exhibition, fighting, or~~
10 ~~injuring, is guilty of a misdemeanor.))~~ A person who violates this
11 section is guilty of a class C felony punishable under RCW 9A.20.021.

- 12 (3) Nothing in this section (~~may~~) prohibits the following:
- 13 (a) The use of dogs in the management of livestock, as defined by
 - 14 chapter 16.57 RCW, by the owner of the livestock or the owner's
 - 15 employees or agents or other persons in lawful custody of the
 - 16 livestock;
 - 17 (b) The use of dogs in hunting as permitted by law; or
 - 18 (c) The training of animals or the use of equipment in the training
 - 19 of animals for any purpose not prohibited by law."

EFFECT: Raises the crime of dog fighting from a gross misdemeanor to a class C felony and expands the crime to include a person who knowingly:

- Breeds, buys, sells, advertises, or offers for sale any dog with the intent that the dog will be used for fighting;
- Participates in, advertises, or performs any service in the furtherance of a dog fight;
- Transports spectators to a dog fight or accepts payment for admission to a dog fight;
- Keeps or uses a place for dog fighting or allows a place to be used for dog fighting;
- Serves as a stakeholder for any money wagered on a dog fight; and
- Takes or receives a stray or pet dog with the intent of using the stray dog or pet dog for dog fighting or for training or baiting for dog fighting.

Removes the specific provision making it a crime to be a spectator at a dog fight (participation in a dog fight remains a criminal offense).

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